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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR No. 07-796-JSW
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del> ORDER
	)	EXCLUDING TIME UNDER 18 U.S.C. § 3161
v.	)	
	)	
JULIO CESAR REBOLLAR	)	
a/k/a Julio Nevarro-Rebollar,	)	
a/k/a Javier Reyes Hernandez,	)	
	)	
Defendant.	)	

On January 3, 2008, the parties in this case appeared before the Court and stipulated that time from January 3, 2008 through February 7, 2008 should be excluded from Speedy Trial Act calculations because defense counsel needs adequate time to review discovery, which government counsel will produce. The parties represented to the Court that the length of the requested continuance was the reasonable amount of time necessary for effective preparation of defense counsel, taking into account the exercise of due diligence. 18 U.S.C. §

3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by this continuance outweighed the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

SO STIPULATED:

JOSEPH P. RUSSONIELLO  
United States Attorney

DATED: January 15, 2008

/s/  
TAREK J. HELOU  
Assistant United States Attorney

DATED: January 15, 2008

/s/  
ERIC M. HAIRSTON  
Attorney for Defendant JULIO CESAR

REBOLLAR

As the Court found on January 3, 2008, and for the reasons stated above, the Court finds that the ends of justice served by the requested continuance outweigh the best interests of the public and the defendant in a speedy trial. The Court also finds that time from January 3, 2008 through February 7, 2008 shall be excluded from Speedy Trial Act calculations for effective preparation of defense counsel. 18 U.S.C. § 3161(h)(8)(A). Failing to grant the requested continuance would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(B)(iv).

SO ORDERED.

DATED: January 15, 2008

  
THE HONORABLE JEFFREY S. WHITE  
United States District Court Judge